

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MYRA LOVE,

Plaintiff,

vs.

CLARK COUNTY DETENTION CENTER,

Defendant.

Case No. 2:07-cv-00854-BES-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION**

This proceeding was referred to this court in accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-9. The court has reviewed the matter and makes the following findings.

FINDINGS

Plaintiff Myra Love submitted an Application to Proceed *in Forma Pauperis* (#1) and a Civil Rights Complaint pursuant to 42 U.S.C. § 1983 on June 28, 2007. In an Order (#4) entered November 9, 2007, the court granted Love's Application to Proceed *in Forma Pauperis* (#1) but dismissed the Complaint for failure to state a claim upon which relief can be granted, with leave to amend. The court ordered Love to file an Amended Complaint, if any, by December 16, 2007 and stated that the failure to comply with this order would result in the dismissal of this case, without prejudice. To date Love has not filed an Amended Complaint.

Based on the foregoing,

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1 IT IS RECOMMENDED that this action be **DISMISSED** without prejudice for Love's failure
2 to file an Amended Complaint by December 16, 2007 as directed by the court's Order (#4).

3 **NOTICE**

4 These findings and recommendations are submitted to the United States District Judge assigned
5 to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within ten days after being served
6 with these findings and recommendations, any party may file written objections with the court.
7 Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and
8 recommendations of a magistrate judge shall file and serve specific written objections together with
9 points and authorities in support of those objections, within ten (10) days of the date of service of the
10 findings and recommendations. The document should be captioned "Objections to Magistrate Judge's
11 Findings and Recommendations." The parties are advised that failure to file objections within the
12 specified time may waive the right to appeal the District Court's Order. Martinez v. Ylst, 951 F.2d
13 1153 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are
14 subject to the page limitations found in LR 7-4.

15 Dated this 5th day of February, 2008.

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18 PEGGY A. LEEN
19 UNITED STATES MAGISTRATE JUDGE
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